

Docket No. JAB-1425-USCNT1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : De Corte B., et al. Confirmation No.: 7134
Appln. No. : 10/634,682
Filed : 08/05/2003
Title : HIV REPLICATION INHIBITING PYRIMIDINES
Art Unit : 1624
Examiner : Venkataraman Balasubramanian

CERTIFICATION UNDER (37 C.F.R. § 1.8(A))

I hereby certify that, on the date shown below, this correspondence is being:

Mailing

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Date: August 2, 2005

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Signature: 

Laura A. Donnelly

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
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TERMINAL DISCLAIMER

Dear Sir:

The owner, Janssen Pharmaceutica N.V., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any claim in any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term of prior patent No. 6,878,717 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any such claim of any patent so granted on the instant

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application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any such claim of any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

expires for failure to maintenance fee;
is held unenforceable;
is found invalid by a court of competent jurisdiction;
is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
has all claims canceled by a reexamination certificate;
is reissued, or
is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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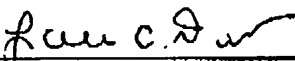
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2. ☒ The undersigned is an attorney or agent of record.

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Respectfully submitted,

By: 
Laura A. Donnelly
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Dated: August 2, 2005

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